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SOS APA Form 001

Mississippi Secretary of State  
700 North Street P. O. Box 136, Jackson, MS 39205-0136

**ADMINISTRATIVE PROCEDURES NOTICE FILING**

AGENCY NAME Mississippi State Port Authority at Gulfport		CONTACT PERSON Matthew S. Wypyski	TELEPHONE NUMBER (228) 865-4300	
ADDRESS P.O. Box 40		CITY Gulfport	STATE MS	ZIP 39502
EMAIL mwypyski@shipmspa.com	SUBMIT DATE 4-11-13	Name or number of rule(s): Part 301 – MSPA Operations and Procedures Manual <b>COMPILATION</b>		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: The purpose of the amendments is to meet the compliance requirements of the Mississippi Secretary of State for submission into the Administrative Bulletin for eventual publication into the Administrative Code.

Specific legal authority authorizing the promulgation of rule: Miss. Code Ann. § 59-5-1, *et seq.*

List all rules repealed, amended, or suspended by the proposed rule: Part 301 – MSPA Operations and Procedures Manual

**ORAL PROCEEDING:**

☐ An oral proceeding is scheduled for this rule on Date: \_\_\_\_\_ Time: \_\_\_\_\_ Place: \_\_\_\_\_

☒ Presently, an oral proceeding is not scheduled on this rule.

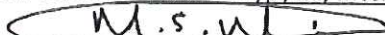
If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

**ECONOMIC IMPACT STATEMENT:**

☐ Economic impact statement not required for this rule. ☒ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: _____ New rule(s) <input checked="" type="checkbox"/> Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: <input checked="" type="checkbox"/> 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: _____ Action taken: _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: _____ 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Matthew Wypyski, Interim Executive Director

Signature of person authorized to file rules: 

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
<div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by	<div style="border: 1px solid black; padding: 10px; text-align: center;">  </div> Accepted for filing by	<div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.



DELBERT HOSEMAN  
*Secretary of State*

### CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. This is a Concise Summary of the Economic Impact Statement which must be filed with the Secretary of State's Office.

AGENCY NAME Mississippi State Port Authority at Gulfport	CONTACT PERSON Matthew Wypyski	TELEPHONE NUMBER 228-865-4300
ADDRESS P.O. Box 40	CITY Gulfport	STATE MS
EMAIL mwypyski@shipmspa.com	ZIP 39502	
DESCRIPTIVE TITLE OF PROPOSED RULE Part 301 – MSPA Operations and Procedures Manual		
Specific Legal Authority Authorizing the promulgation of Rule: Miss. Code Ann. § 59-5-1, <i>et seq.</i>	Reference to Rules repealed, amended or suspended by the Proposed Rule: Part 301 – MSPA Operations and Procedures Manual	

#### A. Estimated Costs and Benefits

1. Briefly summarize the benefits that may result from this regulation and who will benefit:

The proposed amendments to the MSPA Operations and Procedures Manual will primarily benefit and instruct MSPA directors, officers and employees as to the current operational and procedural practices of the MSPA.

2. Briefly describe the need for the proposed rule:

This proposed rule is necessary to bring the MSPA Operations and Procedures Manual up to date with current practice at the MSPA. Furthermore, this proposed rule is submitted to the Mississippi Secretary of State for eventual publication in the Administrative Code.

3. Briefly describe the effect the proposed action will have on the public health, safety, and welfare:

The proposed action will marginally impact the public health, safety and welfare. The MSPA Operations and Procedures Manual will serve to educate the public awareness as to current operational and procedural practices of the MSPA. Some practices contained herein do require public participation and compliance. All rules requiring public participation are designed to promote health, safety and/or welfare.

4. Estimated Cost of implementing proposed action:

- a. To the agency  
☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
- b. To other state or local government entities  
☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

5. Estimated Cost and/or economic benefit to all persons directly affected by the proposed rule:

c. Cost:

☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

d. Economic Benefit:

☐ Nothing ☐ Minimal ☐ Moderate ☒ Substantial ☐ Excessive

6. Estimated impact on small businesses:

☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

a. Estimate of the number of small businesses subject to the proposed regulation: All small businesses which conduct business with the MSPA.

b. Projected costs for small businesses to comply: Minimal.

c. Statement of probable effect on impacted small businesses: The MSPA Operations and Procedures Manual directs small businesses as to standard operating and procedural guidelines of the MSPA. Small businesses are directed to be familiar with the contents of each relevant provision and abide by its terms and conditions where appropriate.

7. The cost of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

☐ substantially less than ☐ moderately less than ☐ minimally less than  
☐ the same as ☒ minimally more than ☐ moderately more than  
☐ substantially more than ☐ excessively more than

8. The benefit of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

☐ substantially less than ☐ moderately less than ☐ minimally less than  
☐ the same as ☐ minimally more than ☐ moderately more than  
☒ substantially more than ☐ excessively more than

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B. Reasonable Alternative Methods

1. Other than adopting this rule, are there less costly or less intrusive methods for achieving the purpose of the proposed rule?

☐ yes ☒ no

2. If yes, please briefly describe available, reasonable alternative(s) and the reasons for rejecting those alternatives in favor of the proposed rule. (Please see §25-43-4.104 for factors you must consider.)

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C. Data and Methodology


1. Please briefly describe the data and methodology you used in making the estimates required by this form. The data and methodology used in making the estimates required by this form was information obtained from designated Port directors and/or employees familiar with the designated current operational and procedural practices of the MSPA.

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D. Public Notice

1. Where, when, and how may someone present their views on the proposed rule and request an oral proceeding on the proposed rule if one is not already scheduled?

In accordance with Chapter 7 of the Administrative Procedures Act Rules, oral proceedings may be requested by written notice delivered to: Matthew S. Wypyski, Interim Director, Mississippi State Port Authority at Gulfport, P.O. Box 40 Gulfport, MS 39502.

SIGNATURE 	TITLE Interim Executive Director
DATE 4-11-13	PROPOSED EFFECTIVE DATE OF RULE June 6, 2013